



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,570	04/24/2001	Gary Boccadutre	1647001	5425

7590  
HORST M. KASPER  
13 FOREST DRIVE  
WARREN, NJ 07059

04/10/2007

EXAMINER

SHAKERI, HADI

ART UNIT

PAPER NUMBER

3723

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

09/841,570

Applicant(s)

BOCCADUTRE ET AL.

Examiner

Hadi Shakeri

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 7-10, 14-16, 18 and 23-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 11-13, 17, 19-22 and 27-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION*****Claim Objections***

1. Claim 32 is objected to because of the following informalities: the period at the end of the line 11 should be changed, e.g., to ";". Claim 21, "ratchet extension shaft (102)" should be changed to, --ratchet extension shaft (202)--. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

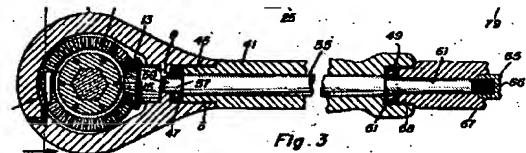
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 5 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Lampke, US Patent No. 2,808,749.

Lampke discloses all the limitations of the above claims 1, i.e., power wrench comprising a handle containing a motor (e.g., 67); a ratchet extension (41)



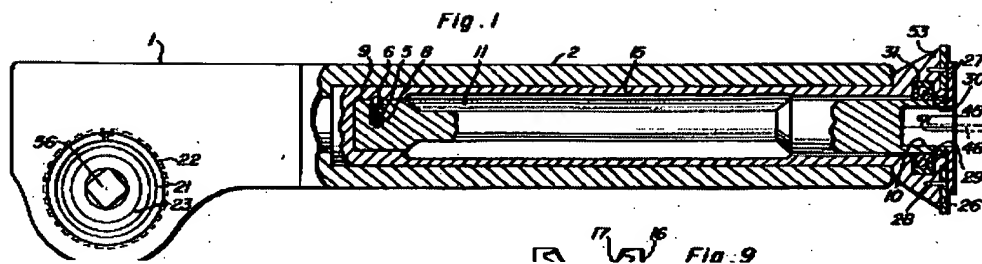
attached to the handle; a ratchet extension shaft (55) attached to the handle and a ratchet head (1); and the ratchet head (1) attached to the extension and the shaft, wherein the extension and the shaft are removable; a plurality of removable extension (41, 67, 81) and a plurality of removable shafts (55, 77) each separately removable.

4. Claims 19-22 and 27-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Hendrickson, US Patent No. 3,430,510.

Art Unit: 3723

Hendrickson

discloses all the  
limitations of the  
above claims 19,  
i.e., a ratchet handle



(48) containing an air drive motor, an air line connection (inherent) furnished to the ratchet handle; a ratchet extension sleeve (2) having a first end and having a second end, wherein the first end of the ratchet extension sleeve is attached to the ratchet handle; a ratchet extension shaft (11) having a first end and a second end, wherein the ratchet extension shaft (11) is disposed substantially parallel to the ratchet extension sleeve (2), and wherein the ratchet extension shaft (11) is unsupported apart from support furnished to the first end of the ratchet extension shaft and the second end of the ratchet extension shaft; wherein the first end of the ratchet extension shaft (11) is attached to a drive shaft (54) disposed at the ratchet handle (48); a ratchet head (1) having a socket mount (56) and having attached the second end of the ratchet extension sleeve (2) and having a ratchet head drive shaft (49) attached the second end of the ratchet extension shaft (11), wherein the ratchet extension shaft is held exclusively by the drive shaft and by the ratchet head drive shaft.

(Claim 21), wherein the drive shaft (54) is attached to the ratchet handle (48); further comprising a drive socket (10) attached to the first end of the ratchet extension shaft (11), wherein the drive socket engages the drive shaft (54).

(Claim 20), a drive tang (9) attached to the second end of the ratchet extension shaft (11) wherein the drive tang is constructed like the drive shaft (54), wherein the ratchet head drive shaft (49) attached to the ratchet head (1), wherein the drive tang (9) engages the ratchet

Art Unit: 3723

head drive shaft (49), wherein the ratchet head drive shaft (engaging 9) is constructed like the drive socket (10).

(Claim 22), wherein the ratchet head (1) is demountable from the ratchet handle (48); and wherein an area between the ratchet extension shaft (11) and the ratchet extension sleeve (2) is completely filled with air.

(Claim 27), wherein the ratchet extension is furnished by a tubular piece and wherein the ratchet extension shaft is furnished by a solid rod; and wherein the ratchet extension shaft is not supported by any bearings located between a surface of the ratchet extension shaft and an inner wall of the ratchet extension sleeve.

(Claim 28), wherein the ratchet extension shaft (11) is connected to a rotary output of the air drive motor and wherein the socket mount (56) is rotation transferring connected to the ratchet extension shaft (11).

(Claim 29), wherein the ratchet extension shaft is disposed in the ratchet extension sleeve and disposed for freely rotating in the ratchet extension sleeve.

(Claim 30), wherein the ratchet extension surrounds the ratchet extension shaft without contact between the ratchet extension sleeve and the ratchet extension shaft.

(Claim 22), wherein the ratchet extension sleeve (2) and the ratchet extension shaft (11) are separate elements, wherein the relative position of ratchet extension sleeve (2) and ratchet extension shaft (11) are defined by the respective mountings on the ratchet handle and on the ratchet head (1).

(Claim 32), meeting all of the limitations of claim 32.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3723

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over anyone of Lampke, Hendrickson and Frenkel.

Each of the above mentioned prior art meets the limitations of the above claims except for disclosing an extension and a shaft having a length between 6 to thirty inches. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use an extension and a corresponding shaft having a length of approximately 6-30", since it has been held that changing shape, dependent on work-piece parameters, involves only routine skill in the art. *In re Stevens*, 101 US PQ 284(CCPA1954).

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lampke.

Lampke meets all of the limitations of claim 6, except for disclosing a plurality of disclosing the range or a specific size of the extensions, modification within the knowledge of one of ordinary skill in the art dependent on work-piece/operational parameters as indicated above.

8. Claims 12, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lampke in view of Hendrickson.

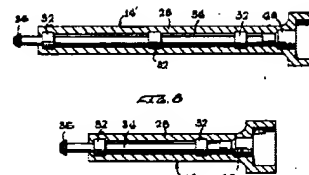
Lampke meet the limitations of the above claims, except for disclosing an air power wrench. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a pneumatic wrench as taught by Hendrickson, 04:56 in adapting the invention for application requiring pneumatic drive.

Lampke in view of Hendrickson disclose the types of connections having similar constructions between the head and the handle.

Art Unit: 3723

9. Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious Frenkel (5,709,136).

Frenkel discloses all of the limitations of claims 1 and 11, including "an area" between the sleeve and the shaft completely filled with air, however, in the alternative eliminating the bearings, to save manufacturing costs, would have been obvious to one of ordinary skill in the art.



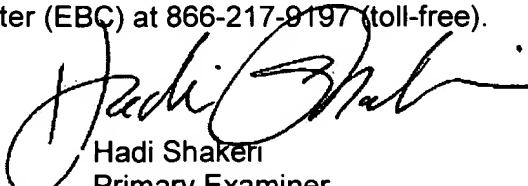
### ***Response to Arguments***

10. Applicant's arguments filed on February 15, 2007 have been fully considered but they are moot in view of the new rejections of claims 19-32.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hadi Shakeri whose telephone number is 571-272-4495. The examiner can normally be reached on Monday-Friday.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Hadi Shakeri  
Primary Examiner  
Art Unit 3723

April 1, 2007